

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

GREGORY HARDY,

Plaintiff,

v.

WHITAKER, *et al.*,

Defendants.

Case No. 24-cv-11270

Honorable Thomas L. Ludington

Magistrate Judge Elizabeth A. Stafford

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**ORDER STRIKING PLAINTIFF'S MOTION FOR LEAVE TO FILE  
SECOND AMENDED COMPLAINT (ECF NO. 41, 42)**

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Plaintiff Gregory Hardy filed a document entitled “correction of pleading and amendment of complaint,” which the Court construes as a motion for leave to amend his complaint. ECF No. 41; ECF No. 42. The Court **STRIKES** the motion because Hardy did not attach a copy of the proposed amended complaint as required under the local rules. E.D. Mich. LR 15.1 (“A party who moves to amend a pleading shall attach the proposed amended pleading to the motion.”). Without a copy of the proposed amended complaint, “it is unclear exactly how he would amend it if given the opportunity” and is “impossible for the Court to evaluate whether leave to amend should be granted.” *See Robinson Bey v.*

*Wickersham*, No. 15-cv-13424, 2016 WL 4394331, at \*2 (E.D. Mich. Aug. 18, 2016).

Although Hardy is proceeding pro se, “the lenient treatment generally accorded to pro se litigants has limits,” *Pilgrim v. Littlefield*, 92 F.3d 413, 416 (6th Cir. 1996), and pro se parties must “follow the same rules of procedure that govern other litigants,” *Nielson v. Price*, 17 F.3d 1276, 1277 (10th Cir. 1994). But the Court gives Hardy leave to refile a compliant motion by **November 8, 2024**.

s/Elizabeth A. Stafford  
ELIZABETH A. STAFFORD  
United States Magistrate Judge

Dated: October 29, 2024

### **NOTICE TO PARTIES ABOUT OBJECTIONS**

Within 14 days of being served with this order, any party may file objections with the assigned district judge. Fed. R. Civ. P. 72(a). The district judge may sustain an objection only if the order is clearly erroneous or contrary to law. 28 U.S.C. § 636. **“When an objection is filed to a magistrate judge’s ruling on a non-dispositive motion, the ruling remains in full force and effect unless and until it is stayed by the magistrate judge or a district judge.”** E.D. Mich. LR 72.2.

**CERTIFICATE OF SERVICE**

The undersigned certifies that this document was served on counsel of record and any unrepresented parties via the Court's ECF System to their email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on October 29, 2024.

s/Davon Allen  
DAVON ALLEN  
Case Manager